

Atty's Dkt: KOPCHICK=6.1A

In re Application of:
John J. KOPCHICK et al.
Serial No. 10/552,443

IA Filing Date: April 2, 2004

For: DIAGNOSIS OF HYPERINSULINEMA AND TYPE II...

) Application Division
) ATTN: PCT
) Washington, D.C.
) Confirmation No. 7248
) Date: July 12, 2006

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated May 15, 2006. Attached hereto is/are:

- ☒ Search Fees ☒ \$200.00 (Small Entity) ☐ \$400.00 (Large Entity)
☒ Examination Fees ☒ \$100.00 (Small Entity) ☐ \$200.00 (Large Entity)
☒ Three (3) executed oaths or declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information; executed as follows (1) Kopchick and Kelder, (2) Boyce, and (3) Kriete. The citizenship of Kriete is misstated, it should be "Germany" and this will be corrected in due cause by a supplemental declaration under 37 CFR 1.67.
☐ An exact English language translation of the PCT application as originally filed.
☐ Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages ___ of the specification and new claims ___ to be used for examination.
☐ A Preliminary Amendment ☐ Fees are reduced due to elimination of claim multiple dependencies.
☐ Additional fees as calculated below:

<input type="checkbox"/> Basic fee			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)		RATE	
		X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate	
23- 20 =	3	X \$ 50.00	\$150.00
4- 3 =	1	X \$200.00	\$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00	\$360.00
TOTAL OF ABOVE CALCULATIONS			\$840.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.			\$420.00
SUBTOTAL			\$420.00
Processing fee of \$130.00 for late furnishing of the English translation.			\$
TOTAL NATIONAL FEE			\$420.00

- ☐ Surcharge for late filing of the Declaration was paid on _____.
☐ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
Response Filed Within
☐ First - \$ 60.00
☐ Second - \$ 225.00
☐ Third - \$ 510.00
☐ Fourth - \$ 795.00
☐ Fifth - \$1,080.00

month after time period set

Other Than Small Entity
Response Filed Within
☐ First - \$ 120.00
☐ Second - \$ 450.00
☐ Third - \$1,020.00
☐ Fourth - \$1,590.00
☐ Fifth - \$2,160.00

month after time period set

☒ Total fees enclosed: \$720.00

☒ Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$720.00 is enclosed to cover the above fees.

☒ Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Iver P. Cooper
Registration No. 28,005



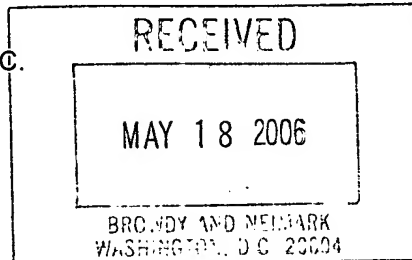
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1pc.

U.S. APPLICATION NUMBER NO. 10/552,443	FIRST NAMED APPLICANT John J KOPCHICK	ATTY. DOCKET NO. KOPCHICK6.1A
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1444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303



INTERNATIONAL APPLICATION NO. PCT/US04/10191	
I.A. FILING DATE 04/02/2004	PRIORITY DATE 04/07/2003

CONFIRMATION NO. 7248
371 FORMALITIES LETTER



OC000000018787875

Date Mailed: 05/15/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/07/2005
- Copy of the International Search Report filed on 10/07/2005
- Request for Immediate Examination filed on 10/07/2005
- U.S. Basic National Fees filed on 10/07/2005
- Priority Documents filed on 10/07/2005

MSP: = 15 JL 2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$125** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$490** for a Small Entity:

- **\$65-Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$200** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

- Total additional claim fee(s) for this application is **\$ 125**

- **\$100** for **1** independent claims over 3.
- **\$25** for **1** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,443	PCT/US04/10191	KOPCHICK6.1A

FORM PCT/DO/EO/905 (371 Formalities Notice)

07/17/2006 MKAYPAGH 00000122 10552443

01 FC:2615	75.00 OP
02 FC:2614	100.00 OP
03 FC:2616	180.00 OP
04 FC:2617	65.00 OP
05 FC:2642	200.00 OP
06 FC:2633	100.00 OP